IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 1796 OF 2004
IN
SECOND APPEAL NO. 318 OF 1991

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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CORAM: P.V. KAKADE, J.
DATED: 3RD DEC., 2004

P.C.:

1. Heard learned counsel for both parties.

2. This is an application for restoration of the second appeal which was dismissed by order dated 4.3.2002 for want of compliance directed in the matter.

3. Perusal of the application reveals that the delay as well as reasons for non-compliance are sufficiently explained. Therefore, in view of the facts and circumstances, the application is made absolute in terms of prayer clause (a) on condition that the cost of Rs.1000/- shall be paid by the applicant out of which Rs.500/- shall be donated to the Kirtikar Library and remaining amount of Rs.500/- shall go to the respondent.

Application stands disposed of.

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